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Edinburgh Town Council

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EXAMINATION

OF THE

PRINCIPLES and CONDUCT of the TOWN-COUNCIL of EDINBURGH, from the commencement of MR LAURIE'S Administration, to the present time;

WITH

Remarks on the SET, or CONSTITUTION of the CITY.

By A BURGESS AND GUILD-BROTHER.

EDINBURGH:

Printed in the Year M,DCC,LXXVI

[PRICE ONE SHILLING.]

EXAMINATION

OF THE
CONDUCT OF THE TOWN
OF LONDON, FROM THE COMMENCEMENT
OF MR. LARSEN'S ADMINISTRATION TO THE PRESENT
TIME



By the Trustees of the British Museum

AT A BURGESS AND CO. BROTHERS

EDINBURGH

Printed in the Year MDCCLXXVI

[Price One Shilling]

TO
THE RIGHT HONOURABLE

SIR LAURENCE DUNDAS, BART.

SIR,

PERMIT me to address you, on this occasion, with a freedom that you cannot interpret into petulance. Men of intelligence observe, with regret, that the opulent and ambitious are almost the uniform prey of fools or of parasites. Their time and attention are so much absorbed by the modes and fopperies of the beau monde, or by the multiplicity of objects which necessarily result from a great fortune, that, tho' their intentions may be upright and honourable, they have not leisure to think for themselves, or to employ their own judgements, even in matters of the highest moment. They are, of course, under the necessity

cessity of trusting to others, both for the truth of facts, and for the manner of conducting themselves in their transactions with mankind. It is to this circumstance, I am persuaded, and not to any superior inclination to vice, that the characters of so many of our great men have the appearance of inconsistency and of folly.

I have not the honour of your acquaintance; but, Sir, from the opinion of those who are able to judge, I believe that the principal source of your political errors should be attributed to the ignorance and selfishness of those whom you have unfortunately found it necessary to employ. That the late infamous manoeuvres, which have so much and so universally disgusted the inhabitants of this city, of all ranks and denominations, originated from the advice and persuasion of *Mr Gilbert Laurie*, is attested by the publications both of Provost Stodart*, and Bailie Walker†. I call them *infamous manoeuvres*,

* See Provost Stodart's Answer to Bailie Walker's first letter, p. 2.

† See Baillie Walker's first letter, p. 1.

D E D I C A T I O N.

v

manoeuvres, because they have reduced the public character of this antient metropolis, below that of the most insignificant and most corrupted borough in Scotland. This it could never be your intention to effect. But, allow me to tell you, it has been a consequence of the counsels you have followed. Mr Laurie informed you, that Provost Stodart's plan of rescuing the magistracy from the opprobrious and degenerate state into which the former had brought it, was ultimately directed against your political interest. To this information you too easily gave credit, and anxiously conducted your affairs as if they had been in the most desperate situation, while no other intention existed, than to render your glory more splendid, by conferring on you the representation of a free and generous people, in place of giving you the dominion over slaves and sycophants, whom, in your heart, you must despise.

Matters have now, indeed, suffered a change. The best of men have their passions. When Provost Stodart, and his friends

friends found themselves despised and abused, though they amounted to a considerable majority in council, they were astonished. But, when they discovered the real cause, and the shameful desertion of Bailie Walker, and other two pretended friends, surprise was naturally converted into resentment.

It is in this manner, Sir, that your judgement has been imposed upon; it is by the jealousy and false insinuations of interested men, that you have been so far infatuated as to convert a numerous train of firm and respectable friends, into the most determined enemies. Before this aera, so humiliating to the annals of Edinburgh, your interest in the town was immovable: Its foundation now totters; and, unless you quickly submit the direction of your affairs to different men, its fall is inevitable.

If, however, you cease to submit your determinations to evil counsellors; if you discover a desire to recover the honour of the town, by cherishing the measures proposed by the friends you have lately lost; if
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DEDICATION. vii

you be active in forwarding the emancipation of the incorporated trades from the slavery imposed on them by the set or constitution of the borough ; you may possibly restore yourself to the affections of the citizens, and find, with a pleasure you never formerly experienced, the return of your political influence.

Pardon, Sir, my presumption in thus offering these hints to your consideration ; and believe me to be,

S I R,

Your respectful, and

Most obedient servant,

The AUTHOR.

A. N

EXAMINATION, &c.

TO excite dissention among individuals is not the object of the following pages. I belong to no party; and I have no private interests to serve. I have long observed, with regret, a gradual degeneracy in the principles and conduct of our rulers; and therefore think myself called upon, as a member of the community, to publish my remarks, hoping they may be of some service to the city of my nativity. But, though I mean to be candid, if, in the course of my inquiries, any culprits rise up to view, they must indulge me in freedom of remark. This is a privilege common to every citizen; and, wherever treachery or mismanagement appear, it is a virtue to detect and expose the delinquents.

B

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A few observations on the nature of *personal* and *political honour*, will prepare the reader for drawing such conclusions as will naturally arise from a proper representation of facts, and will enable him to form a judgment derived from the principles of moral obligation.

Honour originally signified dignity or high rank. It is now very generally employed for magnanimity, nobleness of mind, and a sovereign contempt of every sentiment or action that infers any degree of meanness or of turpitude. He who, upon every little injury, real or supposed, insists upon the ultimate satisfaction of a brace of pistols, is more frequently a fool or a maniac than a man of honour; an appellation which includes every quality that can adorn human nature. A man of honour, according to this acceptance, will neither truckle nor break his engagements in the common intercourse of society. He feels the full force of every virtuous sentiment; and he acts agreeably to his feelings. No motive, however flattering, can corrupt his fidelity; his heart revolts against every species of dishonesty. The meanness of prevarication, and of palliating baseness by perfidy, are to him peculiarly detestable. Neither is this character, when it appears in life,

neglected

neglected by the world. A man of honour never fails to receive approbation; and, when he dies, his memory is adored by posterity. These principles, it is obvious, are of universal obligation. Let us inquire, whether any particular situations or circumstances can justify an infringement of them.

The welfare of every community depends upon the conduct of those who are intrusted with its privileges. The idea of every species of government implies respect and ability, as well as strict honour and inviolable integrity. Magistrates are raised, by their station, above the ordinary citizen, who naturally looks up to them as patrons of rectitude. Their fidelity is pledged, in a public and solemn manner, to the constituents who have honoured them with their suffrages, and delegated them for the management of their rights. Political honour, therefore, is, if possible, of a more sacred nature than personal. When a man, in private life, sullies his character by meanness or deceit, a discovery is certain ruin to his reputation. He is regarded as an object of abhorrence, but never of compassion: If his pretensions to virtue and to sanctity have been formerly high, mankind assign him a double portion
of

of contempt and aversion. This punishment is severe ; but it is just, and the strongest barrier fixed by nature against the vices of individuals.

As political honour is equally binding, and the evils consequent upon a breach of it more extensive and atrocious, the punishment inflicted by public opinion, it is natural to think, would be proportionally augmented. Experience, however, teaches us the reverse. Political honour is so low in its value, as to have given rise to the detestable maxim, ' That a man may be *honest* in his private intercourse with society, and a professed *knave* in politics.' This maxim, though too commonly adopted, is an indelible character of depravity, and an eternal disgrace to every man who employs it. But, if his practice should correspond with the principle, he merits every censure that the laws can inflict, and every mark of infamy from the honest citizens whom he represents.

The origin of this polluted maxim it is not difficult to trace. It is the genuine offspring of enormous fortune ; an evil, perhaps, inseparable from commercial states. Wealth, suddenly acquired, is not only the parent of insolence, but of corruption,

corruption. Men of moderate fortunes dream not of purchasing influence with gold. If they wish to acquire fame, if they are ambitious of power, they must cultivate those talents and virtues which attract the esteem of mankind. Nature, for the wisest purposes, has diversified both the talents and the passions of men. To some she has given elevation of sentiment, and a superior strength of judgment : To others she has assigned a more limited portion of ability, and dispositions of an inferior kind. Harmony and subordination in society, are the results of this diversity of talents, and of tempers. Government and laws, therefore, derive their origin from the structure of the human mind ; the duties of magistrate and citizen become objects of reasoning, and admit of an easy investigation. If a magistrate loses the esteem of the citizens by selfishness, by insolence, or by partial measures ; if his views be contracted, and his passions irregular ; if he dispenses his favours, not on the worthy and intelligent, but on parasites and men of little minds ; if public spirit, and a regard to the prosperity and happiness of the community, be absorbed in vanity and personal attachments ; if
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he supports his power by low cunning, by deceit, or by holding out lucrative views to the needy and worthless; if he squanders the money of the public, and neglects the general interest of his constituents; instead of respect, he merits nothing but infamy and reproach.

These general reflections have arisen from attending to the late political combustion in the city of Edinburgh, of which I am now about to lay an impartial account before my fellow-citizens. To accomplish this purpose with the greater facility, I must take a retrospective view of the principles and conduct of the magistracy during the administration of Mr Laurie*.

The magistracy and affairs of this ancient metropolis have been under the direction of Mr Laurie about sixteen years. To inquire into his origin, or how he rose into power, is unnecessary, and perhaps improper ~~to inquire~~. His elevation

* This gentleman, and some others, must forgive me for taking the liberty of mentioning their names. Scores and dashes embarrass the reading, and are apt to mislead the ignorant. Beside, as my object is utility, were I to be less explicit, I might sometimes be betrayed into obscurity.

vation was not sudden: It was the effect of a persevering attention to the arts of insinuation and address. Even his warmest friends will not alledge, that he acquired influence by a superiority of talents, by the voice of popular applause, or by amiableness of disposition. He, at last, however, obtained the management of the political interests of the town; and it is peculiarly distressing to the inhabitants, that, from an absurd and iniquitous paper, called the *set of the borough**, when a man once gets the direction of the council, whatever his demerits may be, to deprive him of his power, is next to an impossibility. Provost Laurie, accordingly, in opposition to the united sentiments of the citizens, excepting, perhaps, such men as he occasionally dragged out of obscurity to support his administration, has preserved the sole management of the city during the period above mentioned.

It is natural to ask, what advantages have been derived to the community from a reign so long, and so uninterrupted? Every citizen who reads this question,

* Of this paper I shall afterwards have occasion to take some notice.

question, will look around him with astonishment: He will consult his recollection and his experience; but in vain: No traces of liberality, of public spirit, or of disinterestedness, are to be found. Our revenue has been shamefully squandered: Places in the gift of the town have been lavished, not upon the honest citizens, who have long contributed, by their industry, and by the payment of its taxes, to the public funds, but to upstart minions, who had no other views but those of rapacity, in bending their knees to this political tyrant*. The new bridge, which was originally projected by a late public spirited magistrate†, was infamously bungled in the execution, under the administration of Mr Laurie§.

do to two legends which appeared as new. This

* It would be invidious to mention particulars. The reader has only to reflect on the places that have lately become vacant, and on the persons who enjoy them.

† Provost Drummond.

§ I know not the precise sum expended on rebuilding and patching the New Bridge, the original defects of which are not to this day fully rectified. The mason-work, it is said, amounted to some thousands: And, after the fatal catastrophe, a standing committee was instituted, with full powers to hold meetings, and to eat and drink as often, and as much of the town's revenue as they pleased.

The

This useful work, instead of being carried on with propriety and attention, was prostituted into a political *job*; and its fall and imperfections were fatal to the lives of several worthy inhabitants, beside the loss of many thousand pounds to the city. The progress of the New Town has received repeated checks from the narrowness of his understanding, and the perverseness of his disposition. His frequent attempts to oppress the gentlemen who have already built there, have given rise to many vexatious law-suits, the expences of which were defrayed out of the funds of the town. He has allowed the harbour of Leith, which, a few years ago, would have been easily repaired for a small sum, to run into such a ruinous state, that a very great expence will now be necessary to accomplish that purpose. He has obstructed every rational scheme of improving the several roads and avenues that lead to the city. This man has never discovered the smallest inclination of being useful to

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The tavern-bills of this bridge committee, it is well known, amounted to an enormous sum. An excellent mode of refunding the money lost by the fall of the bridge! It is precisely the same species of economy, as if a man who loses, by neglect, one half of his fortune, should *drink* the other, in order to make good the deficiency.

the community. His ignorant dependants look up to him as a great politician ; and yet he has never had the capacity of engaging popular affection. His projects have been uniformly detested. The spirit of the people frustrated him in his late attempts to augment our taxes by a *poors rate*, and by additional *tolls*. But it is painful to enumerate the many blunders he has committed, and the long train of his dark, political enormities : To sum up the whole, his administration has been invariably conducted on narrow and selfish principles. Of political honour, he seems never to have conceived an idea. He has twice had the nomination of a member to represent us in parliament, and he has been rewarded with five hundred pounds a year, and elevated to a seat on a respectable board, beside the emoluments arising from the office of King's Apothecary, &c. His ambition and avarice, it would appear, are never to be gratified. He still continues to insult every member of the community, by forcing measures contrary to its interest, and utterly repugnant to the sentiments of every wise and virtuous inhabitant. But the period of his fall, I am confident, is not now far distant. The burgeses and different incorporated trades, have it in their power to annihilate his influence,

influence, and to dismiss him perpetually from their councils, not loaded with honours, but enriched with the spoils of borough-politics. The method of accomplishing this desirable end, I shall afterwards explain, to the satisfaction of the public: And, when the event happens, Mr Laurie will have the mortification of seeing his fall attended with the joy and acclamations of a much injured people.

Though Mr Laurie must now cease to be a capital object in the history of the present political ferment, the reader will find him making no inconspicuous *figure* in the *back ground*.

Provost Stodart has been our chief magistrate for these last two years. It is sufficient to observe of him, that his principles and conduct have been the reverse of those of Mr Laurie. He is now succeeded by a gentleman * whose integrity can only be equalled by his liberality. It is unnecessary, therefore, to remark, that his nomination to the office of Lord Provost, must have been peculiarly disgusting to Mr Laurie. He accordingly set every dark engine to work, in order to operate Mr Kincaid's defeat, or at least to render his desire of being useful abortive.

Provost:

* The Right Honourable Alexander Kincaid, Esq;
present Lord Provost of the city of Edinburgh.

Provost Stodart, soon after his admission to the office of chief magistrate, being fully sensible of the scandalous mismanagement of the town's affairs, and of the disgrace it had for many years incurred, from the ignominious manner in which the magistrates and council had been annually nominated, proposed a plan of reformation. He wished to see the magistracy and council filled, not with the obscure, the illiterate, and the needy part of the citizens, but with men whose probity and liberal principles were known to the inhabitants. He saw the difficulties he had to encounter. He knew the low and illiberal arts that would be employed to frustrate every intention of wresting power out of the hands of men who never felt a sentiment of generosity. He still, however, resolved to discharge his duty. He communicated his plan to some of the most respectable members of council; and the integrity and nobleness of his views, at once gained him a considerable majority.

So early as the beginning of last winter, Provost Stodart, in a conversation with Mr Laurie, proposed Alexander Kincaid, Esq; to be his successor in the office of chief magistrate. To which, it would appear, that Mr Laurie gave his *political* consent.

consent *. Provost Stodart, in the month of December, went to London, and waited on Sir Laurence Dundas, when, to his utter astonishment, Sir Laurence showed him a letter from the same Mr Laurie, recommending Mr John Dalrymple to that office†. This is a striking example of Mr Laurie's *political honour*, and deserves to be recorded for the benefit of posterity. Sir Laurence, in order to cement all differences, promised to be in Edinburgh in the months of May or June, and assured Provost Stodart, that nothing should be done *contrary to his inclinations*‡. When that time arrived, however, Sir Laurence did not appear; and Provost Stodart, in the month of August, went to Sir Laurence's seat at Ask-hall, where he laid before him the liberal plan of management he had concerted, and showed him, that his principles were agreeable to the ideas of *two thirds* of the council; he demonstrated, in the strongest manner, that it was Sir Laurence's interest, as well as that of the community, to adopt this new and respectable system of government. But Sir Laurence replied, that

his
* See Bailie Walker's first letter to Provost Stodart, pag. 1.

† See Provost Stodart's answer to Bailie Walker, p. 2. 3.

‡ Ibid. p. 3.

his influence was engaged in favour of Mr Dalrymple, and that he would by no means alter his resolution to support him.

During all this time, Provost Stodart's friends in the council were steady and active.

The great man at last arrived in Edinburgh. A wonderful change was suddenly effected. Some of Provost Stodart's warmest and most noisy adherents, were at once converted into bitter and implacable enemies. The very appearance of Sir Laurence seemed to fascinate their understandings, and to lull their consciences asleep. Their disgraceful desertion, however, roused the resentment of the public. The voice of clamour and of execration became loud and general. The honest citizens were shocked to see the sentiments of men so unaccountably and so instantaneously perverted. What increased this astonishment in the minds of the young and inexperienced, was the religious character they had heard ascribed to Bailie John Walker, who was the first man who had the audacity to break the most solemn engagements, and who is universally regarded as the cause of the same crime in other two members of council. But such men were ignorant of the real character of Bailie Walker. His present appearance as a magistrate, like his first,

first, has been marked with tumult and with faction. Religion, indeed, or rather the unhappy divisions of our church, he has uniformly laid hold of to cover the heat and selfishness of his temper. It will not easily be forgot, that, not many years ago, the furious zeal of Bailie Walker was exerted in opposition to the settlement of a worthy, respectable, and able clergyman. Neither can it be forgot, that this boisterous and fruitless opposition, extracted above two thousand pounds from the coffers of the Good Town: This is a remarkable instance of the services done to the city by the very *respectable* John Walker! May Providence for ever defend the community from the guidance of such magistrates!

It is a matter of regret, that we are often unable to distinguish real religion from intemperate zeal and hypocritical pretensions. It is still more to be regretted, that the upright and well-disposed, are extremely averse to abandon a man whom they have been accustomed to revere for his seemingly superior sanctity. This is a fault; but it is a fault which originates from a generous principle. A good man is the last to perceive the depravity of his neighbour.

But to return to Mr Walker: The scene occasioned

caſioned by his late appearance in the magiſtracy is recent; but the impreſſions it has made on the minds of his fellow citizens will never be eradicated. From the firſt letter he printed in defence of his character, which he conceived to be injured by the voice of the public, it appears *, that he agreed with Provost Stodart, ' that the magiſtracy ought to be on *a broader bottom*; and ' that none but men of *respectable characters* ' should be elected to the magiſtracy, provided ' only they were friends to *Sir Laurence Dundas*. The caution and guardedneſs of the expreſſion are here worthy of remark. By this paſſage he evidently means that he wiſhed to have the independency of the council aſſerted; that the different incorporations ſhould have the ſole privilege of delegating their own members; and, that the magiſtracy ſhould no longer conſiſt of time-ſerving tools, but be filled up with the moſt reſpectable of the citizens. He, accordingly, pledged his honour, that, in conjunction with Provost Stodart and his friends, he would do every thing in his power to accompliſh this deſireable end. His activity and diligence gave credit to the ſincerity of his intentions, till the period of Sir

Lau-
 But to return to Mr Walker: The ſecond
 * P. 2.
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Laurence's arrival. What passed between him and the Baronet must be left to conjecture ; and conjectures have been made. But it is undeniable, that, soon after Sir Laurence's appearance in Edinburgh, Bailie Walker not only deserted Provost Stodart, but acted for the opposite party, whom he formerly pretended to abhor, with all the fervour of a zealous politician. To account for this strange and dishonourable conduct, and to save a reputation of which he foresaw the ruin, he affects to have made a recent discovery, that Provost Stodart meant to subvert the interest of Sir Laurence, and to substitute that of a certain Nobleman in the neighbourhood of the city. This stands flatly contradicted, not only by Provost Stodart's answer to Mr Walker's first letter, but by evidence which rises superior to every suspicion, namely, the written and subscribed testimony of that Nobleman himself*. Can Mr Walker seriously imagine, that the bare assertions of little truckling borough politicians will preponderate against the authenticated evidence of men of honour and integrity ?

But it is needless to lay hold of extraneous proofs of Mr Walker's breach of engagement.

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* See Provost Stodart's answer to Mr Walker's first letter, p. 5, and 6.

The intrinsic evidence arising from his own defence, is sufficient to convince every human creature of his guilt.

Mr Walker agrees, ' that none but men of *respectable characters* should be admitted into council, provided only they were friends to Sir Laurence Dundas † !' The absurdity of this passage can only be equalled by its impudence. Has Bailie Walker lost his senses as well as his political honour? Is he so grossly ignorant of human nature, as to imagine, that men of *respectable characters* would accept of a seat in council, under the base and ignominious restriction, of voting and acting, not according to their own ideas of rectitude, but to gratify the inclinations, and to serve the views of any particular person? From the moment that a man enters into such engagements, he prostitutes his understanding and his honour; he extinguishes every feeling of generosity and of justice; he becomes a mere automaton, a puppet of flesh and blood, and subjects both soul and body to the movements, not of his own conscience and judgment, but of the will, and perhaps of the vices, of the man to whom he makes a sacrifice so degrading to humanity,

† See Bailie Walker's first letter, p. 2.

manity. If these be Mr Walker's hallowed ideas, concerning the ingredients that form *respectable characters* among men, he should have buried them in the darkness of his own heart : The publication of them can answer no purpose, but to contaminate still farther the minds of bad men. I am not ignorant, that such puppets and sycophants exist in the town-council of Edinburgh; and it is equally certain, that, in the late political contest, Bailie Walker repeatedly exerted his influence, and gave his suffrage, to augment their number †.

But, let us attend a little farther to Mr Walker's political principles, which he has been so infatuated as to publish in defence of his conduct. My original concert, he remarks †, was,

‘ 1st, That the offices of magistracy should be
‘ filled with men of *respectable character*.

‘ 2d, That they should be *friendly to the inter-
‘ rest of Sir Laurence Dundas*.

‘ And, 3d, That Mr Kincaid and Mr Elder,
‘ who were *considered* as possessing both these qua-
‘ lifications,

† Of this he has given a public testimony, by his voting for THOMAS SOMMERS, and others of, perhaps, equal merit and *respect* !

† First letter, p. 2.

‘ lifications, should be fixed upon ; Mr Kincaid for
 ‘ the office of chief magistrate, and Mr Elder for
 ‘ dean-of-guild.’

The first principle, that the magistrates should be men of repute, has the air of candour and liberality. It likewise implies that the magistracy, while under the management of Mr Laurie, was filled with men whose characters were not sufficiently *respectable* to entitle them to that honour. In all this he will be heartily joined by every intelligent citizen. But the second principle, ‘ that they should be *friendly* to the *interest* ‘ of Sir Laurence Dundas,’ is perfectly inconsistent with the first. Can any man, who is not a knave, delegate, for a course of years, his conscience and his judgment, in matters that regard the public, to the will of another ? Though his opinion of the person, for whose interest such an unreasonable demand is made, should be favourable, when he lays himself under the iniquitous obligation, can he foresee, with certainty, that this man will continue, for any indefinite period, to merit the same regard ? Men of real virtue are often suspicious of being betrayed by their own passions and prejudices ; but never dream of becoming sureties for the perpetual wisdom and rectitude of others, of whose

whose fortitude and virtue, from their station and situation in life, it is impossible they can have any adequate knowledge. Bailie Walker, however, has an easy method of solving all difficulties of this kind. If his first political principle will not correspond with the second, he lays it aside. If men of respect promise not to do whatever they are commanded by Sir Laurence Dundas, or his advisers, he will not admit them into the council, but adopts others of an opposite character*.

From

* Previous to the election of the merchant-counsellors, Bailie Walker waited upon Mr Kincaid junior, and assured him, that he would endeavour to secure him a seat in council, if he would engage to support the interest of Sir Laurence Dundas. That spirited young gentleman rejected the offer with disdain; and told him, that, if he ever was a member of council, he would take care to preserve his independency, and to act agreeably to what he conceived to be for the real advantage of the community, without regarding the particular interest of any individual. Bailie Walker made this proposition to Mr Kincaid, agreeable to his first principle; but his second principle was fatal to Mr Kincaid's election. This is a memorable instance of the *conveniency* of Bailie Walker's political creed!

From these two incompatible principles, he draws a very curious conclusion, ' That Mr Kincaid and Mr Elder, who were *considered* as ' possessing both these qualifications, (that is, they ' were considered to be 1st, Respectable men, and ' 2^d, men friendly to the interest of Sir Laurence Dundas,) should be fixed upon, Mr Kincaid ' for the office of chief magistrate, and Mr Elder ' for Dean of Guild.' That Mr Kincaid and Mr Elder were only *considered* to be men of respectable characters, is but an aukward compliment to these gentlemen. But, as he likewise considered them to be *friendly* to the *interest* of Sir Laurence Dundas, why did he exert all his influence and policy to prevent their election? In order to secure their elevation to these offices, for which he had agreed they were best qualified, it was absolutely necessary, and an indispensable part of his acknowledged engagement to Provost Sodart, that he should vote, in all the previous steps of election, for respectable men only, and men whom he knew would forward the general intention of reforming and adding dignity and importance to the magistracy and council. But here Bailie Walker's conduct, had he not acted in the face of his fellow-citizens, would have exceeded

ceeded the limits of human credulity. He exerted every nerve to prevent the admission of the worthy and respectable citizens; because, it would appear, he thought it impossible that men of virtue and of independent spirits could be friendly to the interest of 'Sir Laurence Dundas.' Bailie Walker seems to be the most inconsistent and inscrutable of all human beings. When he means to compliment, he abuses; when he tries to reason, he runs into absurdity; when he pleads in defence of his character, he evinces his own duplicity.

Bailie Walker, it is true, that he might preserve some appearance of decency, gave his voice for the present Lord Provost, and also for Mr Elder's being on the long leet for Dean of Guild. This matter requires a little explanation. By a solemn compromise and engagement, between both parties, these two gentlemen were fixed upon, the one for chief magistrate, the other for Dean of Guild. Provost Kincaid's election was accordingly unanimous, because, though Mr Laurie's party, by the shameful desertion of four members of council, was now become the most numerous, the rejection of a gentleman, so deservedly esteemed by his fellow-citizens, was conceived

conceived to be a measure too violent, in the present situation of their affairs. But to have admitted Mr Elder also, would have added, they imagined, too much weight to the opposite party ; and therefore, though the engagement for that gentleman was equally solemn, he was shamefully rejected ; and Bailie *Charles Innes*, whom no man ever conceived to be one of the most *respectable* citizens, was substituted in his place *. This manœuvre of Bailie Walker is exceedingly curious. He voted for Mr Elder on the day of election : But he then knew, that his voice could neither hurt his new party, nor be of the smallest benefit to Mr Elder's election. The mean design was, to have the semblance of fulfilling his promise, while he was conscious of his having rendered that altogether impossible.

* Bailie Innes linen-draper, William Nisbet deacon of the weavers, Thomas Sommers glazier, and Bailie Walker wine-merchant, were the four men, who, for reasons best known to themselves, broke their solemn engagements to their party soon after Sir Laurence Dundas appeared in the city. It might be expected that I should enter into a detail of their characters and conduct, as well as those of Bailie Walker. But, as Bailie Walker's desertion has been universally regarded as the cause

It is an unhappy circumstance, that guilt is never solitary. One bad action is always followed by a successive train of wickedness. When we are conscious of having committed a crime, we instantly feel the stings of remorse and of terror. But, if we are unable to conceal it from the observation of the public, the mind too often flies to the ignoble palliatives of falsehood and deceit. A sense of character is one of the strongest motives to virtue; it is the last sacrifice made to vice, even by the most abandoned of mankind. It was, therefore, exceedingly natural, that Bailie Walker, after he perceived his reputation to have suffered an injury by his conduct in the late political struggle, to endeavour to regain the esteem of his fellow-citizens. It is much to be regretted, that he has not been able to satisfy either *himself* or the public in this matter. The extreme anxiety expressed in his letters; the evi-

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cause of the whole dishonourable transaction, I considered it be altogether useless to füll this Pamphlet with more examples of contemptible beings, than were absolutely necessary to explain the principles of that party, which have too long enslaved and insulted their constituents. They have been amply rewarded by the detestation and resentment of the public.

dent contradictions and inconsistencies with which they abound *; his desire to lay hold of the horns of the *altar* †, the common refuge of criminals; his alternate *flattery* and *accusation* of Sir Laurence Dundas;

* See his political principles above animadverted upon.

† 'It was, I think, after this time,' says Bailie Walker, in his first letter to Provost Stodart, p. 3. 'that you took occasion to mention to me a young Nobleman in the neighbourhood, and an eminent lawyer, with high, and I am persuaded, very just commendation; knowing my desire to preserve the *religious* privileges of the community, you observed, that, allowing they were to have the management of this city, you was confident they would guard against bringing in *unacceptable ministers*, and encourage a free election, without using the *right* of presentation.' Again, Letter 2. p. 4. 'You ask me, if the interest of Sir Laurence Dundas has swallowed up every other consideration? By no means. If Sir Laurence should be active in bringing in *unacceptable ministers* into the city, by *presentation*, or otherwise,' &c.

Bailie Walker has even had the folly, in the 3d page of his first letter, to arraign the conduct of our chief Crown Lawyer, because he votes, in the General Assemblies of the Church of Scotland, agreeable to the laws by which that church is established! If we knew not the Jesuitical intention of introducing the *church* into Bailie Walker's defence, we should be apt to think that it favoured of infamy.

Dundas | ; his never once mentioning the *interest* of the community, but always insisting on the *interest* of this wealthy Baronet, are curious topics, and afford sufficient materials for future speculation. I am sorry that the limits which I have prescribed to myself, allow me not, at present, to discuss

† Every sentence of both his defences justify this remark. The following passage, in page 5th of his first letter, is curious, ‘ You say he (Sir Laurence) has done *nothing* for this city since he became our member: I agree with you !’ The next sentence contains a compliment to Sir Laurence, which is still more curious: ‘ I *wish* he may do *more*, (that is, *more* than *nothing*) and *hope*, that if any proper plan shall be laid before him, for serving the city, he *will* exert himself to execute it.’ Sir Laurence, on this occasion, has been peculiarly unfortunate in his panegyrist: A writer in the Courant of 25th September last, when defending Sir Laurence’s political character, gravely observes of him, ‘ that he has never yet been *accused*, with any *shadow* of *reason*, of being *close-fisted* !’ Again, Bailie Walker, 2d letter, p. 4. asks ‘ What has Sir Laurence done *against* the interests of this country or city ?’ The best answer this question admits of is, in imitation of Bailie Walker’s first letter, to say, ‘ that he has done *nothing* either *for* or *against* the interest of the city;’ and, consequently, that he is a mere political *cypher*. Weak friends are always the most dangerous enemies.

discuss them. I shall, therefore, only remark, upon the whole, that Bailie Walker has been peculiarly unsuccessful in the defence of his political character, though he has made the attempt in two different publications; and, that the bare perusal of his letters is sufficient to convince every man of common sense, that, notwithstanding all his struggles, he has only had the misfortune to render what was originally bad, still worse.

I shall now proceed to the consideration of such arguments as have been urged against the conduct of Provost Stodart, and his friends. The only articles that merit notice are contained in a letter addressed to his Lordship, dated September 24. and signed *A Citizen*. If the facts and reasoning of this writer had been equal to his powers of expression, I should never have attempted to reply. His first charge is that of ingratitude. He alledges, that Provost Stodart was promoted to be a member of council by Sir Laurence Dundas; that he is personally related to him; and, therefore, that it was highly ingrateful to desert his interest. The first position is false; Mr Stodart was a member of the town-council of Edinburgh long before Sir Laurence had any connection with the city. This fact is known to every inhabitant,

inhabitant, and cannot admit of controversy. He might, it is true, be promoted to the office of chief magistrate by the consent of Sir Laurence, or rather of his friends, Mr Laurie, and Mr Simpson pewterer in Edinburgh, and engraver to his Majesty's mint. But, as to any previous engagement, to discharge the duties of his office, *not according* to the determinations of his own judgment, or to what he conceived to be advantageous to the community, but to the arbitrary mandates of Sir Laurence Dundas, those who could form such an ignominious supposition, are little acquainted with the independent and liberal principles of Provost Stodart. If an engagement of this nature could be fixed upon Provost Stodart, I should be the first man to class him with Bailie Walker, and the other abusers of the Baronet so often mentioned. But Provost Stodart never did, nor ever could, subject himself to an obligation, which infers every degree of meanness and of corruption which can harbour in the breast of a human creature. The whole train of his conduct, from the first moment he entered upon his office, was generous, manly, and totally repugnant to the principles ascribed to him by this writer. He joined the sentiments of the council

council in thinking Sir Laurence a proper person to represent us in parliament: And he, accordingly, gave him his voice and his influence at the last general election. He never entertained the idea of opposing Sir Laurence's interest in the city, until, by a perverse and unskilful policy, Sir Laurence refused to concur with him in raising the magistracy and council from the contempt into which they had justly fallen by the low manoeuvres of Mr Laurie, to that dignity and importance which they ought to possess. He conceived it to be the wantonness of cruelty, to exalt men to stations, which can serve only to mortify them, and to hold them up to public contempt *. He lamented that the name of *Magistrate*, instead of exciting ideas of honour and of respect, had

* Those who have attended to the countenances of some of our magistrates and counsellors for these last fifteen years, need no farther explication. I mean not to asperse their characters. I know many of them to be inoffensive and good citizens. But nature never destined them to be judges, or rulers of a great city. A gold-chain, or a furred robe, are not to be thrown away on those who know not their value. Every branch of magistracy is venerable. But, when occupied by ignorance or meanness, it sinks in the estimation of mankind.

had degenerated into a term of reproach *. These grievances he communicated to Sir Laurence, and proposed an easy and certain remedy of preventing their future existence. But Sir Laurence, at the instigation of Mr Laurie, who knew that a respectable magistracy would infalibly annihilate his influence, rejected every plan of reformation: He went farther; he abused Provost Stodart, for attempting, without first consulting him, any innovation whatever. He forgot the promise he had made at London, 'That nothing should be done contrary to the inclination of Provost Stodart and his friends.' But, by this time, Sir Laurence had found means to open the eyes of Bailie Walker, Bailie Innes, and Deacon Nisbet, and, of course, had secured a majority of the council. After such usage, is it a matter of wonder, that Provost Stodart should cool in his affection to Sir Laurence? If he had acted otherwise, he would have betrayed an unpardonable duplicity, and been detested in the same proportion

* Every good citizen must have observed with regret, that a new cant phrase has lately crept into our language. If a man makes a foolish remark, or if a stupid fellow be mentioned, it is instantly replied, that he is *ripe for being an Edinburgh magistrate*.

tion that he is now revered by every honest inhabitant, and by every incorporated body in the town.

I am almost ashamed to mention the only other remark that had any appearance of reasoning in the production of this writer. He seems to insinuate, that a man who has once acknowledged his regard or good opinion of another, is bound, in honour, to go along with him, not only in all his views, whatever be their quality, but that such an acknowledgement is perpetually binding. According to this notion, no man must presume to think for himself; far less must he pretend to rectify the errors of his own judgment, or to discover those of his friend. The letter under consideration has tended more to confirm my good opinion of Provost-Stodart, than all that has been written in his defence. If it had been possible to furnish the writer of it with materials of any importance, his powers would have bestowed upon them a double value. It must be a desperate cause indeed, when an advocate of such abilities, though aided by the instructions of a party, should find it impossible to make even a plausible defence.

It has been weakly insinuated, that those who oppose the measures of the council, or who wish for a reformation in their principles and conduct, are enemies to Sir Laurence Dundas, and intend only to serve themselves, by putting the management of the town's affairs into the hands of some other great man, whom they have fancied in their own imaginations; and that the community, of course, would not derive the smallest benefit from such an innovation; because, say they, the very men who now make so much noise about independent motives, and generosity of behaviour, would act in the same manner, and upon the same selfish principles, if they were able to procure a majority in council. This shameful argument is daily repeated in our streets, by the few who still find it their interest to speak favourably of Mr Laurie and his party. They consider not, that this argument amounts to a full acknowledgement, that their party are actuated by no motives but those of selfishness and rapacity; that the community which they represent has no share in their affections, and occupies no portion of their attention; and that, in a word, they have no views, even in supporting the interest of Sir

F Laurence,

Laurence, but what centers in their own personal emoluments.

If this argument had any foundation in truth, every good man would mourn, in silence, over the universal depravity of the capital of Scotland. But I cannot entertain such a detestable opinion either of mankind, or of the city where I received my existence. Arguments of this kind, when they proceed from those who have had a share in the administration of the town's affairs, or from their minions and expectants, betray a consciousness either of actual or of intended guilt. It is natural for all men to imagine, that every person must act from the same motives which influence their own determinations. But, when these motives and actions are bad, it is both weak and dangerous to avow them : And yet, such is the state of Mr Laurie's party, that, if you deprive them of this argument, you shut their mouths for ever. They admit their own insignificance and baseness ; and, by way of apology, they plead, that every man, if he had the opportunity, would behave in the same mean and corrupt manner. What are we to think of such people ? Do they merit any confidence, either in a private or in a public capacity ? Would any prudent man entrust them with the management
of

of his fortune? And, shall a large and populous city continue to give them the disposal of its revenue, of its offices, and of its representation in the great council of the nation?

The present opposition they affect to represent as chiefly directed against Sir Laurence Dundas; and perhaps they may also consider the writer of this pamphlet as an enemy to that gentleman. If they should, they will only have the misfortune to commit a couple of blunders at once. I have already declared myself to belong to no party; and I now declare, that I have not the smallest antipathy against Sir Laurence. If he has exerted his influence in support of men, who are both unqualified for the departments they fill, and obnoxious to their fellow-citizens, he must suffer the blame of having acted against his own political interest, as well as against the interest of his constituents: And, that Mr Laurie prevailed on him to do both, he must now be fully sensible.

The remarks that have occurred, and the ground I have traversed, naturally lead me to consider, whether the effects of this political bubble may not, in the end, turn out to be salutary. The hopes of the wise and virtuous have suffered

a temporary check. But struggles for freedom, though at first they are seldom so successful as to gratify all we wish for, yet, when accompanied with perseverance and with vigilance, they never fail to bring advantages that fully recompense the labour we bestow.

The incorporated trades of the city have, in the present crisis, behaved with an unanimity, and a spirit, that do them honour. It is from this numerous and useful body of men, that the other burghesses are to expect emancipation from those chains with which they have long been fettered. By the present fet of the borough, neither the ordinary burghesses, nor the incorporations, have any proper representation in council. The magistrates and council have, in a great measure, the power of nominating their successors. When a junto of weak or bad men, therefore, unfortunately obtain a lead in the council, they fill up the annual vacancies with the venal, the time-serving, and the ignorant, who, in their turn, nominate their masters*. Thus the circle of incapacity and corruption

*It is a consequence of this partial fet of the borough, that Messrs Gilbert Laurie, Thomas Simpson pewterer, and, of a later date, Orlando Hart shoe-maker, have al-

tion perpetually whirls round, and every spark of public spirit is extinguished in its vortex †.

For the benefit of such as may not have had an opportunity of perusing the set of the borough, and to pave the way for an application to parliament for explaining its original intention, and for rectifying the abuses that have been founded on it, the following remarks are subjoined.

In the year 1658, the town-council of Edinburgh, on account of the abuses committed by the practice of allowing the magistrates to remain too long in their offices, made an act, limiting the duration of the Provost, Dean of Guild, and Treasurer, to one, or two years at most, and of the Bailies to one year, and another as old Bailies *.

This

most perpetually continued to be members of council from the time of their first admission.

† This polluted system has received so much improvement of late, that, I am credibly informed, no person is received into council, unless he not only promises to vote in the manner he shall be directed, but likewise finds another of the junto to be cautioner or surety, that he will faithfully perform this illegal engagement. Do the members of council take no oath *de fideli*? If they do, how do they settle matters with their consciences?

* See set of the city of Edinburgh, p 50.

This act was rescinded in the 1664, and the council were allowed to continue the magistrates as long as they thought proper †.

On the 4th of March 1673, the citizens, fully satisfied that the act 1664 * was prejudicial to the fundamental liberties and privileges of the borough, brought a declarator of their rights before the court of session, which decreed for preventing all future encroachments upon that point, and ordaining the act 1658 to be revived ‡.

In 1678, the council revived the act 1658, and rescinded that of 1664. As this act is curious, and seems to strike against the very evils now complained of by the citizens, we shall make no apology for transcribing some portions of it.

The preamble sets forth, ' That the laws of this, and other well governed nations, do oppose most vigorously the *perpetuating* of magistrates within towns or boroughs, as that which enhances the government (that ought to be alterable according to the *merits* of the citizens) into the hands of *one or very few* *, who may there-
by

† Ibid. p. 55.

‡ Ibid. p. 47.

* If the gift of prophecy had not ceased for near 18 cen-

by easily exclude other *well deserving* neighbours
 from the government, and might appropriate
 or embezzle the common good at their pleasure,
 and thereby wreath an *insupportable yoke* upon
 the necks of their fellow-citizens, and upon the
 place of their nativity and residence : And ha-
 ving by experience found many more advan-
 tages rising by such unwarrantable and affected
 elections, and that, even among the *best* of per-
 sons, whom *time* and *opportunity* did too frequent-
 ly tempt and corrupt, in so far, that it was found
 necessary, by our predecessors, to be precise and
 special, as to the time of the continuation of
 their magistracies, which, according to the na-
 ture of all laws, they did enact in general
 terms, not having an eye to any particular per-
 sons ; well foreseeing, that albeit, some persons
 in the government of the borough, might, for
 one or two years, behave themselves to the satis-
 faction of the neighbours, knowing their time
 to be fixed and determined by law ; yet, that the
 same persons continuing longer, being left to
 their
 centuries, I should have been tempted to think, that the
 town council of Edinburgh, in the year 1678, had fore-
 seen the existence of Messrs *Laurie* and *Simpson* in the
 year 1776.

' their own freedom and liberty, to *perpetuate*
 ' themselves in the government, as long as they
 ' could, by *faction* or *interest*, might, in process
 ' of time, *degenerate* and prove *corrupt*; and that
 ' the inconveniency of removing such deserving
 ' persons from the government of the borough,
 ' cannot, by many degrees, balance the *innumera-*
 ' *ble* and *vast* ill consequences which *naturally*
 ' and *inevitably* attend the indefiniteness and un-
 ' determinateness of the time, in relation to the
 ' continuance of the magistrates within this bo-
 ' rough; especially, seeing the affairs of the city
 ' can sustain little or no prejudice by the coun-
 ' cil's being necessitate to remove, from the go-
 ' vernment, persons who have given proof of
 ' their integrity during their administration, in
 ' regard the remedy is in their own hands; and
 ' they may, out of a due resentment of former
 ' good services, elect of new the said persons
 ' within few years, after they are removed from
 ' the magistracy: Upon all which considerations,
 ' and in respect that, in this metropolitant city of
 ' the kingdom, there is always a *sufficient number*
 ' of *able* and *well qualified* citizens, fit for the
 ' magistracy

* magistracy thereof *. The council, laying aside their own *interest*, and the consideration of the powers they then possessed, did, &c †. After this follows the same limitation, with regard to the duration of the magistrates, as is mentioned in the act 1685.

The conclusion of this act is not less remarkable than its preamble; ' And the present council being highly sensible of the many good effects which have followed the observance of the said acts, for several years past, and being desirous to shew how *willing* they are that *well-deserving* citizens should have a *share* in the government of this city, by *turns*, in which they hope, that every one of them will, by a *generous emulation*, endeavour to exceed one another in their *care* of, and *kindness* to the Good Town, and to extinguish all hopes of perpetuating the power in their own hands, or in the hands of

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such

* This is a lamentable view of the degeneracy of the present age. The inhabitants of Edinburgh are at least tripled since this act of council was made, and yet our present rulers could never procure a *sufficient* number of *able* and *well qualified* citizens to fill the office of magistracy and council for a single year !

† See set, p. 43.

‘ such as shall be advanced thereto in time coming, &c. they have ordained the said act to be printed.’

From the general complexion of the town-council of Edinburgh, for above a dozen of years past, I was naturally led to entertain a very contemptible idea both of their understandings and of their hearts. But the perusal of the above act convinced me, that there was a period, when they deserved to be considered in a very different light. Every sentence I have quoted, breathes a spirit of genuine patriotism and disinterestedness; and the whole composition discovers a depth of reflection, and a knowledge of mankind, that would do honour to any society in Europe. Ye little, narrow-minded, jobbing politicians of modern days! read this, and similar acts of your ancestors, and blush for your own naughtiness; blush for the disgrace you have brought upon a council, which, near a century ago, could utter the sentiments of philosophers, and act from motives that were not only just, but truly generous and noble. Here we have an example of a town-council, anxious to rectify, not only its own errors, but to eradicate every seed of future corruption. What a contrast! Our present rulers
shudder

shudder at the very idea of reformation. Neither is it surprising that they should. They derive their existence from evident abuse; and every step towards improvement, they justly consider as a blow to their power.

But we ought not to despair. By steadily persevering in the plan which Provost Stodart suggested, and which has obtained the sanction of the incorporations, and of all the independent inhabitants, we may still be enabled to restore this ancient city to its former splendor and importance.

By the set of the city, neither the incorporations nor the merchants and other burgesses who belong not to the incorporated trades, tho' they constitute by far the most numerous and most wealthy part of the inhabitants, have any proper representation in council. But I am not lawyer enough to point out the necessary alterations that the present set ought to undergo, nor the proper mode of applying to parliament for that purpose. For this, and many other articles, the incorporations and burgesses have easy access to the best assistance and advice. I recommend an application to parliament, in place of the convention of boroughs, for three reasons: 1st, Because the meeting of convention is too distant.

2^{dly},

2dly, Because it is doubtful if the convention can give relief ; and, 3dly, Because an act of parliament cannot be *suspended*.

I cannot conclude, without quoting a passage from Provost Stodart's answer to Bailie Walker, which seems to have escaped most of our late political writers. ' Recollect, I beg of you, that, ' in a conversation upon the subject of our resolution to carry through our measures, even al- ' tho' Sir Laurence should continue to *declare a- ' gainst them*, you mentioned your apprehension ' that you might fail, if the other party had Sir ' Laurence to support them, unless we had a ' *person of equal consequence at our head* ; and that ' otherwise we would be a *rope of sand*, as our ' party would not stick together. Mr Elder and ' I argued upon the possibility of preserving, in ' a great measure, the town's independence up- ' on any great man whatever,' &c.

This passage affords two obvious remarks : 1st, That Bailie Walker, a little before Sir Laurence's arrival in Edinburgh, entertained *serious intentions* of acting in direct opposition to the *interest* of that Baronet, whom he now affects to worship

worship as the *idol* of his heart *. This Bailie Walker has never attempted to deny, tho', to every other person, it appears to be the heaviest charge brought against him by Provost Stodart, and puts his conduct in the most inconsistent and atrocious light : And, 2^{dly}, That Provost Stodart, in his plan of reforming the council, was actuated by no other motives, than the real advantage, as well as the honour of the city ; and that, to these important objects, he was willing to sacrifice the interest of any assuming individual, however great or opulent. This last idea is not only noble, but it is in the power of the citizens to realize it. If they be frugal of the public money ; if they be virtuous, and act upon independent principles, they will soon discover, that their hospitals and charities have no occasion for ignominious largesses from any interested corrupter of the people.

* See Bailie Walker's two letters, and the account of his political principles given above.

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worship as the idol of his heart*. This Baline Walker has never attempted to deny, tho' to every other person, it appears to be the heaviest charge brought against him by Provost Stodart, and puts his conduct in the most inconsistent and antithetical light: And, why, that Provost Stodart, in his plan of reforming the country, was actuated by no other motives, than the real advantage, as well as the honour of the country; and that, to these important objects, he was willing to sacrifice the interest of any adjoining individual, however great or opulent. This last idea is not only noble, but it is in the power of the citizens to realize. **55** the public money; if they be virtuous, and act upon independent principles, they will soon discover, that their hospitals and charities have no occasion for ignominious largesses from any interested corruptor of the people.

* See Baline Walker's two letters, and the account of his political principles given above.

